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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Applicants: Wendy Y. CARTER
Title of Invention: Method and Apparatus for Completing a Research and Writing Project
Filed: 12/11/2003
Serial Number: 10/735,391
Atty Docket No.: 324-004

AFFIDAVIT UNDER 37 CFR §1.131

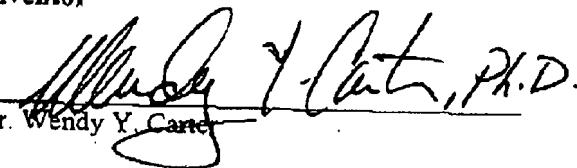
1. I am the inventor of the invention claimed in US Patent Application 10/735,391 entitled Method and Apparatus for Completing a Research and Writing Project ("the Invention").
2. I conceived of the Invention before November 26, 2002, as shown by the attached documents. Document A is an investment proposal submitted to me on November 26, 2002, by investors to whom I had described the Invention so that they could prepare this proposal. The proposal refers to my Invention as the Carter process. Document B is an electronic message sent to me by the authors of the proposal on the day it was submitted to me. This message serves to further authenticate the date of the proposal.
3. I was diligent in actually and constructively reducing the Invention to practice by, among other things:
 - a. engaging in research and development of the product disclosed in the present application;
 - b. executing a provisional patent application disclosing the same subject matter as that disclosed in the present application, on or about September 29, 2003; and

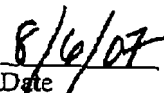
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c. executing the present patent application on or about December 11, 2003.

All statements made herein of my knowledge are true; all statements made herein on information and belief are believed to be true. Further, these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and may jeopardize the validity of the application or any patent issuing thereon.

Inventor

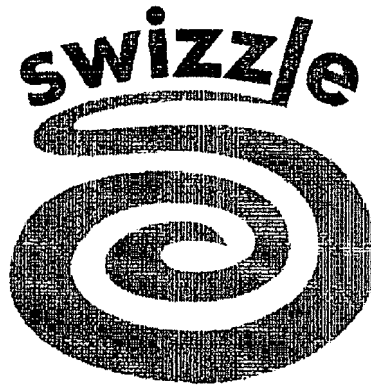

Dr. Wendy Y. Carter


Date

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Document A – Swizzle Development Proposal



E-Tool Development Proposal

November 26, 2002

Dr. Wendy Carter/Bruce Mosby

Our Proposal

Based upon the information provided by Dr. Wendy Carter and Bruce Mosby regarding the potential marketability of an electronic Thesis/Dissertation Development reference product, Swizzle is delighted to present our proposal for participation.

We believe, based upon our discussions, that a CD product with some limited interactivity will best meet the market needs. We propose to create this product using the Macromedia AuthorWare tool. We believe the total development cost for this option will be \$31,000, as identified in our original proposal.

We would like to participate as investors in this product for a minimum 7-year participation. We propose the following split:

Cash	\$10,000 + expenses
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Investment	\$21,000
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(Expenses would be payable as actually incurred, and include long-distance phone charges, overnight delivery and postage, copies, any necessary travel, etc.)

Depending upon the way the product unfolds during the development process, it is possible that the total fees will exceed \$31,000. If that happens, we propose that the additional fees be rolled into our investment, so there will be no additional upfront cash outlay. Additional fees will only be incurred with the approval of Dr. Wendy Carter and/or Bruce Mosby.

Development Assumptions

The following outlines our development assumptions, as they were identified in the proposal. Changes to these assumptions may result in a change in development fees.

- The course will be an electronic reference guide, with some limited interaction
 - ◊ Learner interacts with the material on some screens
 - ◊ Training covers the entire Carter process
 - ◊ Training includes a short orientation module & some printable work aids
- Based on the content detail we have so far, we estimate that the total number of screens will be between 45 and 50.
- The course as a whole will include the following elements:
 - ◊ Text, in English only
 - ◊ Some audio, which will be produced in Denver and delivered as .wav files.
 - Narration only, with a single professional voice talent.
 - Recorded in English only in no more than 1 hour and edited in no more than 3 hours.

- ◇ Photos and Graphics, which will be produced in Denver, and delivered as .jpg or .gif files.
 - Some photos will be stock photos incurring no license fee.
 - Some photos will be custom, created using 3 shop talent (no professional models) and able to be shot in ½ day at a single location. No makeup artist is included.
 - You will provide any props required – no prop fees are included.
 - Some graphics will be stock graphics or clipart incurring no license fee.
 - Some simple graphics will be custom, including draggable options and other graphics required for interactions. No animation or Flash is included.
- Because end-users may not have soundcards, no key content or critical instruction will be provided in audio *unless* the key points are also visible in screen text.
- Required client reviews will be turned around within the required timeframe. Review cycles include one review of first draft material and one review of the final version for each review step (see process section of original recommendation document).
- Swizzle will be responsible for:
 - ◇ Content outline
 - ◇ Navigational design
 - ◇ Instructional design & exercise development
 - ◇ Interactive scripting
 - ◇ Programming
 - ◇ Project Management
 - ◇ Media Asset development
 - ◇ Quality Assurance & Testing

Price Estimate

Description	Price
Complete development of instructional course and orientation module, interface design, navigation structure design, programming	\$22,750
Audio Pre-production and Production	\$3,800
Photo Shoot, Graphic Creation, Photo and Graphic Treatments	\$4,450
Project Total	\$31,000 <i>Does not include password protection, Web versioning, or expenses</i>

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Document B – Swizzle Electronic Message

From: Mosby/O'Brien [obelucky@infinet-is.com]
Sent: Tuesday, November 26, 2002 4:34 PM
To: Wendy Carter
Subject: Fw: Swizzle Participation Proposal

Importance: High

----- Original Message -----

From: Jean Hendry
To: Wendy Carter ; Mosby/O'Brien
Cc: Kathy Young
Sent: Tuesday, November 26, 2002 3:34 PM
Subject: Swizzle Participation Proposal

Hi Bruce & Wendy -
Attached is our proposal for discussion this afternoon. We'll talk to you at 4:30.

Thanks -
Jean Hendry